

## **DRAFT**

### **WEARE PLANNING BOARD MEETING MINUTES**

**February 27, 2020**

**Present:** Craig Francisco (chairman), Bruce Fillmore (vice-chair), Neal Kurk (secretary), Frank Bolton (member), Jack Meaney (Ex-Officio) and Kelly Dearborn-Luce (Land Use Coordinator).

**Guests:** Rev. William R Stockhaus, Michele Morley, Peter Madsen, Matt Peterson, Deb Raymond, Claude Raymond, Kieran Rico, Kevin Griffith.

#### **I. CALL TO ORDER**

The chairman called the meeting to order at 7:01 PM.

#### **II. CONCEPTUAL DISCUSSION**

James and Michele Morley owner of Mt. Dearborn Farm located at 152 Mt. Dearborn Road [408/45], are requesting approval to sell their farm products out of the existing barn. The property is located within the Rural Agricultural (RA) District in the Mt. Dearborn Historic Area. Michele gave a brief overview to the Board for the latest endeavor at the farm. She explained a 300 sq. feet store is proposed in an existing barn on the lower area of the property to sell their small family livestock farm products including pig, lamb and chicken meat, eggs, goat milk soap, etc. This activity is encouraged by the Zoning Ordinance Article 3.11 Right To Farm. After careful review by the Board, it was decided a site-plan is not needed; a building sign is permitted as it is not seen from the road, and the applicant can go forward to pursue this business venture without scrutiny.

#### **III. CONCEPTUAL SITE PLAN APPLICATION**

Alpha Self-Storage at 407 North Stark Highway [201/14-1] in the Commercial (C) Zone. Matt Peterson, representative for applicant, spoke of progress done since last meeting including, but not limited to:

1. Notes have been added to plan regarding the berm; Note #32.
2. Enclosure has been completed at the site.
3. Five evergreens for screening will be installed.
4. Culvert has been added back in.
5. Looking at Sheet 3, a boulder retaining wall has been moved up the slope, making a more attractive-looking area.
6. On Sheet 5, lighting details added.
7. Self-storage units are not required to have restrooms; port-a-potties will be there for construction phase.
8. Updated DOT permit received.
9. In agreement with the Fire Department, a cistern is going in on the upper right-hand corner of the property, under the driveway.
10. Requesting waivers from Meridian Land Services, Inc. report dated Feb. 3, 2020.

The chairman, after reviewing the materials, pointed out the following:

1. Note 27 on page 2 of plan about the 10-year window
2. Alteration of Terrain (AOT) 97100;
3. Read thru the Piscataquog River Local Advisory Committee (PRLAC) minutes from February 17, 2020 where recommendations for additions to the project plans that included correcting the revision date to January 14<sup>th</sup>, 2020 on the tile sheet; Sheet 4

revision concerning Erosion Control in Note 4 to add "...using wildlife friendly erosion control materials to prevent trapping of animals."; Sheet 8 revision on Construction Specifications to Note 1 to add "...using wildlife friendly erosion control materials to prevent trapping of animals."; Sheet 4 revision Erosion Control to Note 5 and Note 9 and on Sheet 8 Erosion Control Note 1 to limit exposure of idle disturbed areas to not more than 5 days.

4. Slope needs a guard rail.
5. Copy of maintenance agreement for the common driveway shall be put in place.
6. Landscaping shall be protected by a two-year bond.

Mr. Fillmore moved, seconded by Mr. Meaney, to accept waivers b, e, f, g, j, and n from the Meridian Land Services report. All were in favor, 4-0. The chair open comments up to public at 7:42 PM. Deb Raymond, rose and stated she was an abutter located at 405 N. Stark Highway. She noted there were several concerns:

1. Drainage will be a problem with the road and getting to the back 40 acres.
2. She requests 35 trees starting at the berm, to be planted every 5' for better dense coverage and wants trees to be placed 120' down to the fence line on the right-hand side of the driveway. She stated 8 trees does nothing to block the area. Also, Alpha Storage should pay for soil preparation including loaming after planting all the landscaping and should provide a soil protection index.
3. She requested that Alpha Storage use a coniferous needled evergreen shrub called a North Pole Arborvitae (often referred to a tree because of its height); she explained they provide the greatest condensed buffer and are fast growing.
4. Beaver pond protection is critical.

Mr. Kurk stated the owner of the farm is responsible to put gates up around boulders. Public comment was closed at 8:14 PM.

The chair stated the plan will need the following to be approved at next meeting.

1. In Note 34, the boulders will need to be changed.
2. Location of cistern should be determined and confirmed in writing by the fire ward.
3. Meridian Land Services comments must be addressed.
4. Propose something similar to 60' from berm with 9 trees (grow to 7 feet high) planted every 12' or something to that effect that will provide a dense visual barrier when trees or shrubs are at maturity.
5. Meridian letter shall be addressed.
6. Foundation of building wall to be 14' high (drain cannot wash out wall).
7. Maintenance driveway agreement must be addressed.
8. Note 24 dictates that construction is dependent on phasing.
9. DOT permit number shall be listed on plan.
10. Two-year bond for the landscaping shall be listed.

Mr. Kurk moved, seconded by Mr. Fillmore, to continue the Site-Plan review until March 12<sup>th</sup>

#### **IV. SITE PLAN REVIEW**

Quiltar Professional Services LLC, Dennis Dupuis of 840 S. Stark Highway [408/165] in a Commercial (C) Zone. The applicant is asking for expansion of a new deck design in the front of the building that will accommodate outdoor seating for patrons during the allowable weather. The chair moved to grant waivers 2-8 and 13-21, as shown in the application; all were in favor, 4-0. Chair moved, seconded by Mr. Fillmore, to accept application as complete; all were in favor, 4-0. Mr. Dupuis then explained to the Board how the current decks are in ill-repair. Outcome would be favorable with new pressure-treated wood and framing with railings; access to deck is from indoor area only, and patrons would have 15 seats to enjoy outdoors (currently there is indoor seating for 89). Public comment was opened at 8:43 PM. There was none, so the chair closed comments at 8:44 PM. Mr. Kurk moved, seconded by Mr. Fillmore, to approve the new construction for outdoor seating at 840 S. Stark Highway; all were in favor, 4-0.

#### **V. SITE PLAN APPLICATION**

Ulster Property Services LLC seeking approval to rent property owned by ROMAR Assistive Services (All Clear) at 400 South Stark Highway [109/12]. Usage proposed is storage of tools and vehicles, construction of a temporary vinyl shed, one storage trailer, and a compost pile. Kieren Rice, owner of Ulster Property services, stated he only wants to provide overflow parking in the back two acres of the All Clear property. He is interested in purchasing the property from All Star once it is cleaned up. There were many concerns from the Board after review of the application, notably:

1. Property lines on GIS are conflicting between the two submitted site-plans; a clearer map will need to be provided.
2. Tax Map 170.2 on site-plan has incorrect property owner listed (not Weare Winter Wanderers).
3. Topographical boundaries are not shown.
4. Trees, natural features, water, other such items not shown on plan.
5. Identification of person who prepared the plan must be shown on the plan, i.e. name of preparer.
6. Other inaccuracies with site plan include: surveying is not confirmed; contours are not correct; scope of work definitions needs to be clarified; information box is incorrectly placed.
7. Uses of abutting land use must be shown or within 100 ft. of topo or vegetation.
8. physical features of building must be included: shape, size, height, etc.
9. Access area and driveways to area of use and pedestrian walkways both shall be shown in the proposed expansion on newly submitted site-plan
10. Overall proposed area needs explanation of use; leased area clearly shown on map.
11. Add itemized items to site-plan
12. No signs will be posted on property per applicant.

Mr. Chair moved, seconded by Mr. Meaney, to waive the following:

1. Part of lot 1 for name of repair
2. Part of lot number 5 for use within 100 ft of property; topo, vegetation, etc.
3. Part of number 6 height of structure
4. Number 9 for location of proposed driveways
5. Number 10 for the location of proposed vehicle circulation

Discussion included insight from Mr. Kurk regarding the importance of getting the necessary correct information to make informed decisions and ultimately to protect the Town's best interest. The waiver was then withdrawn by the chair, as well as the second from Mr. Meaney. Mr. Francisco moved again, seconded by Mr. Meaney, to allow the following waivers:

1. Part of lot 1 for name of repair
2. Part of lot number 5 for use within 100 ft of property; topo, vegetation, natural features, etc.
3. Part of number 6 height of structure
4. Temporary waive part of 9 and 10 (will have to be addressed during the hearing process); the proposed driveways and vehicle circulation, consecutively

Discussion surrounded the thought that penalties cannot be made against the person who will be leasing; they should be made against the owner of the property. The chair then asked if all were in favor; there were two yeas and two nays; 2-2. Consequently, the motioned failed and the application was deemed incomplete. The chair read aloud the reasons why:

1. No name of person who prepared the plan
2. Drawing does not show use within 100 feet of property per checklist item Number 5.
3. Does not show height of building, per checklist item Number 6.
4. Does not show proposed driveway; checklist item Number 9.
5. Does not show vehicle circulation, per item Number 10.
6. Area being proposed for applicant needs to be delineated more clearly because documents are confusing.
7. Map inconsistencies between referenced site-plan "revised Rt. 114 [109/12] prepared for ROMAR Services Inc/Robert Phillips and the copy of GIS blown up needs to be more consistent; the boundary lines are incorrect.

Mr. Fillmore moved to grant waivers for items Number 1, 2, 4, 5, 6 with the caveat that the name of planning preparer be put on the plan. Seconded by Mr. Meaney; motions passed, 3-1.

The applicant needs the following going forward:

1. Proposed driveway
2. Proposed traffic circulation and access
3. Leased area defined/agreed on both maps
4. Correct identification

Mr. Meaney moved to continue the discussion to accept the application until the March 12<sup>th</sup> hearing. Mr. Fillmore seconded. There was no discussion, and all were in favor, 4-0.

## **VII. ADJOURNMENT**

The meeting was adjourned at 9:59 PM.

*Respectfully submitted,*



*C. Provencher*  
*Minute Taker*